

**BRUNSWICK COUNTY BOARD OF COMMISSIONERS  
OFFICIAL MINUTES  
REGULAR MEETING  
FEBRUARY 17, 2003  
6:30 P.M.**

**The Brunswick County Board of Commissioners met in Regular Session on the above date at 6:30 p.m., Commissioners' Chambers, Public Assembly Building, County Government Center, Bolivia, North Carolina.**

**PRESENT:** Commissioner David Sandifer, Chairman  
Commissioner Phil Norris, Vice-Chairman  
Commissioner May Moore  
Commissioner Tom B. Rabon, Sr.  
Commissioner William M. Sue

**STAFF:** Marty K. Lawing, County Manager  
Steve Stone, Assistant County Manager  
Huey Marshall, County Attorney  
Mark Seagle, Assistant County Attorney  
Debby Gore, Clerk to the Board  
Lithia E. Brooks, Fiscal Operations Director

**ABSENT:** Margie Stephenson, Deputy Clerk

**I. CALL TO ORDER**

Chairman Sandifer called the meeting to order at 6:30 p.m.

**II. INVOCATION/PLEDGE OF ALLEGIANCE**

Commissioner Sue gave the Invocation and led the Pledge of Allegiance.

**III. ADJUSTMENTS/APPROVAL OF AGENDA**

Chairman Sandifer asked if there were any adjustments to the agenda.

There were no adjustments to the agenda.

Commissioner Moore moved to approve the agenda. The vote of approval was unanimous.

**IV. PUBLIC COMMENTS**

Chairman Sandifer asked if there was anyone in the audience who wished to speak regarding any item on the agenda or any matter that was not included in the agenda. The following citizens addressed the Board:

1. Ellen Doak of Oak Island addressed the Board regarding noise pollution and the environmental impact on the Yellow Banks caused by ATV's. The Board gave direction to the County Attorney to contact the Corp of Engineers and adjacent property owners and make them aware of the problem and come back with possible solutions.

2. Mary Clemmons, speaking for her mother, Shirley Simmons, expressed concerns that her mother is dealing with several set backs before she can move into the home provided to her after her original home was flooded during Hurricane Floyd. The Board gave direction to the County Attorney to work with Ms. Clemmons and explain the process.

## **V. APPROVAL OF CONSENT AGENDA**

Commissioner Sue moved to approve the Consent Agenda. The vote of approval was unanimous. The following items were approved:

### **A. Minutes**

1. Recessed Meeting/Workshop Minutes of January 13, 2003
2. Regular Meeting Minutes of January 21, 2003
3. Public Hearing Minutes of February 3, 2003 5:45 p.m.
4. Public Hearing Minutes of February 3, 2003 6:00 p.m.
5. Regular Meeting Minutes of February 3, 2003

### **B. Tax Matters**

1. Approval of Fire Fee Releases for February 2003 (**Exhibit Book 33, Attachment #1**)
2. Approval of Tax Releases for February 2003 (**Exhibit Book 33, Attachment #2**)
3. Approval of October 2002 Motor Vehicle Valuation & Levy (**Exhibit Book 33, Attachment #3**)

### **C. Finance (Exhibit Book 33, Attachment #4)**

We are in receipt of the following FY 2002-2003 budget amendment requests:

#### **1) Parks & Recreation**

\$6,000 From: Recreation Salary & Wage - Regular (lapse salary)

To: Grounds Maintenance Salary & Wage - Parttime

This budget amendment transfer represents a request from the Parks & Recreation director to reallocate current unencumbered appropriation from the Recreation division to the Ground Maintenance division to cover expenses related to utilizing parttime staff for carry out programs because of an unfilled full time position. This request is a transfer between department, and therefore does not include additional County funds.

#### **2) Health Department - General Health**

\$20,899 Increase	General Fund Balance FY 01-02 Vehicle Fund	\$ 4,474
	FY 02-03 Vehicle Fund revenue accrued	\$16,425

This amendment represents a request from the Health director with Health Board approval, to request your consideration of appropriating the balance that has accrued in the vehicle fund line item to purchase a new County vehicle. Our understanding is that if the cost of operating the County vehicles assigned to the Health department versus the cost of the mileage driven by employess of said vehicles results in a net increase in cost, then the difference in this cost is made available in the vehicle fund line item. Furthermore, our understanding is that there are no State

restrictions on the use of these funds, so therefore County funds in the amount of \$20,899 are involved.

3) Health Department - Immunization

\$10,000 Increase                      Health Department Escrow Fund Balance

This amendment represents an increase in the procurement of immunization drugs. The Health Board approved this amendment from the Health Department's escrow fund balance. However, the Health department believes that it will collect this amount by fiscal year end from patients receiving the immunization. County funds in the amount of \$10,000 are involved.

4) Health Department - Eye Clinic

\$ 100 Increase                      Gifts & Memorials

This amendment represents the amount received in excess of budget for gifts and memorials specific to the eye clinic administered by the Health department. These additional revenues will be used to offset the purchase of medical supplies for this program. County funds are not involved.

5) Health Department - Smart Start Program

\$ 6,000 Decrease                      State Revenue

The amendment represents a decrease in State funding pursuant to the final funding authorization received by the Health department for the Smart Start Program. County funds are not involved.

6) Health Department - Bioterrorism Communications and Assessments

\$ 4,300 Increase                      State Revenue

This amendment represents the amount of approved State funding the Health department has been notified it will receive specific to bioterrorism, communications and assessments. We understand this revenue will be used to procure special program materials for community awareness of this program as administered by the Health Department. County funds are not involved.

We request the Board's concurrence to amend the FY 2002-2003 Budget Ordinance accordingly.

**D. Road Petition (Exhibit Book 33, Attachment #5)**

1. Approval of SR-2 Resolution for Beachway Trail.

**E. Operation Services (Exhibit Book 33, Attachment #6)**

1. Approval of proposed drainage projects for mosquito control.

**VI. PRESENTATION**

**1. Cooperative Extension Director (Steve Stone)**

Steve Stone, Assistant County Manager, introduced Susan Warner, the new Cooperative Extension Director and gave a brief biography. Ms. Warner thanked the Board for the opportunity to work in Brunswick County.

**2. Margie Parker – Cape Fear COG – Workforce Development Consortium**

Margie Parker, Cape Fear Council of Government, addressed the Board and asked that they approve the Resolution Amending the Articles of Association and Agreement for the Cape Fear Workforce Development Consortium to implement the Workforce Investment Act of 1998.

Commissioner Sue moved to approve the Resolution. The vote of approval was unanimous.  
(Exhibit Book 33, Attachment #7)

## **BRUNSWICK COUNTY RESOLUTION AMENDING**

### **Articles of Association and Agreement for the Cape Fear Workforce Development Consortium For purpose of implementation of the Workforce Investment Act of 1998**

**WHEREAS**, the United States Congress has established the *Workforce Investment Act of 1998*, PL 105-220 on August 7, 1998, requiring full implementation by States no later than July 1, 2000:

**WHEREAS**, North Carolina has opted to be an early implementing state and will implement July 1, 1999 and has elected to follow provisions in the Workforce Investment Act which permit the utilization of North Carolina's existing delivery structure, the Governor of the State of North Carolina will designate the current "service delivery area" under the Job Training Partnership Act as the "workforce investment area" under the provisions of the federal Workforce Investment Act of 1998 which includes the Counties of Brunswick, Columbus, New Hanover and Pender, to be known as the Cape Fear Workforce Development Consortium;

**WHEREAS**, the Workforce Investment Act of 1998 is authorized under a different piece of federal legislation than the Job Training Partnership Act and current agreements only govern receipt of JTPA, NCETGP and WtW funds and do not include local liability for Workforce Investment Act funds, the issue of responsibility for the Workforce Investment Act must be addressed. It will be necessary to execute and update the existing **State/Service Delivery Area Memorandum of Agreement** and the local **Articles of Association and Agreement for the Cape Fear Workforce Development Consortium** to reflect the liability, additional functions and responsibilities associated with the Workforce Investment Act to include designation of the "chief elected officials" for the Consortium and Chief Elected Official for the workforce investment area, designation of an administrative/fiscal agent to administer the program on behalf of the Consortium, and certification of existing Workforce Development Board to serve as the workforce investment board for WIA;

**NOW THEREFORE, BE IT RESOLVED** that this County does hereby approve the amended **Articles of Association and Agreement for the Cape Fear Workforce Development Consortium** to include the additional liability, functions and responsibilities associated with the Workforce Investment Act of 1998, designates the "chief elected officials" for the Consortium and the Chief Elected Official for the SDA/WIA and requests certification of the existing Cape Fear Workforce Development Board as the workforce investment Board for purposes of the Workforce Investment Act;

**RESOLVED FURTHER**, that Lynwood Norris, as the representative Chief Elected Official for the Counties of Brunswick, Columbus, New Hanover and Pender is authorized, upon receipt, to execute the amended **State and Service Delivery Area Memorandum of Agreement** to reflect the inclusion of the federal Workforce Investment Act and is further authorized to execute the **Administrative/Fiscal Agent Designation Form for the Workforce Investment Act** designating the Cape Fear Council of Governments as the administrative/fiscal agent to carry out the duties of the Consortium associated with WIA program management, financial management (receipt and disbursement of grant funds), and support to the local Cape Fear Workforce Development Board;

**RESOLVED FURTHER**, that the County's board member on the Cape Fear Council of Governments' Board, designated as the "chief elected official" of this County for the Cape Fear Workforce Development Consortium Board and all purposes as required by the Job Training Act and Workforce Investment Act and foregoing Articles of Association and Agreement for the Cape Fear Workforce Development Consortium is hereby authorized and directed to execute on behalf of the County the amended **Articles of Association and Agreement for the Cape Fear Workforce Development Consortium** and to take any and all actions which may be appropriate to carry out the foregoing resolutions into effect.

s/David R. Sandifer, Chairman  
Brunswick County Board of Commissioners

ATTEST:  
s/Debby Gore

I hereby certify that during a regular meeting of the Brunswick County Board of Commissioners held on February 17, 2003, the above resolution was duly adopted.

s/Debby Gore  
Clerk to the Board

3. **Dale L. Clemmons** – Fire Fee Districts (**Exhibit Book 33, Attachment #8**)

Mr. Dale Clemmons of Supply addressed the Board concerning Fire Department funding. Mr. Clemmons suggested that Fire Departments should be owned by the County, giving the County control of incoming and outgoing funds. Mr. Clemmons suggested up to a 5-cent tax increase for this funding thus eliminating fire fees to equalize each Fire Department.

## **VII. ADMINISTRATIVE**

1. **Brunswick Senior Resources, Inc. – Lead Agency – (*Jim Russell*)**

Staff recommends that the Board of Commissioners consider designating Brunswick Senior Resources, Inc. as the lead agency for Home and Community Block Grant purposes, effective March 1, 2003.

Commissioner Moore moved to designate BSRI as the lead agency for Home and Community Block Grant purposes and to eliminate the effective date. The vote of approval was unanimous.  
(**Exhibit Book 33, Attachment #9**)

2. **Brunswick Senior Resources, Inc. – Senior Programs – (*Jim Russell*)**

Staff recommends that the Board of Commissioners consider accepting additional funding from Cape Fear Council of Governments for Senior programs awarded subsequent to budget presentation in the summer of 2002.

Commissioner Sue moved to accept additional funding from the Cape Fear Council of Government for Senior programs awarded subsequent to the Budget Presentation of 2002 and the associated Budget Amendment. The vote of approval was unanimous.  
(**Exhibit Book 33, Attachment #10**)

3. **Parks & Recreation – North Carolina Coastal Land Trust – (*George Page*)**

Staff recommends that the Board of Commissioners consider approving the proposal from the North Carolina Coastal Land Trust in regard to the 911 acres on Town Creek.

George Page, Parks and Recreation Director, Cynthia Tart, Parks and Recreation Board Chairman and Bruce Watkins of the NC Coastal Land Trust explained the proposal to the Commissioners.

Commissioner Moore moved to approve the proposal from the North Carolina Coastal Land Trust regarding the 911 acre tract on Town Creek. The vote of approval was unanimous.  
(**Exhibit Book 33, Attachment #11**)

4. **Planning – Second Bridge to Oak Island – Ad Hoc Committee – (*Leslie Bell*)**

Leslie Bell will present information regarding the Second Bridge to Oak Island Corridor Land Use and Development Plan Planning Board Ad Hoc Committee appointment.

Leslie Bell, Planning Director, presented information and requested that the Board appoint a member to the Ad Hoc Committee.

Vice-Chairman Norris moved to table the appointment. The vote of approval was unanimous.

(Exhibit Book 33, Attachment #12)

**5. Finance – Brunswick County Airport Commission - Grant – (*Lithia Brooks*)**

Staff recommends that the Board of Commissioners consider approving the execution of the NC Department of Transportation grant application for the Brunswick County Airport Commission regarding funding for safety projects and taxiway improvements.

Lithia Brooks, Fiscal Operations Director, explained that the grant portion of the safety projects and taxiway improvements is \$150,000 with a local match of \$16,667 or 10% of the estimated project cost.

Commissioner Sue moved to approve the grant application. The vote of approval was unanimous. (Exhibit Book 33, Attachment #13)

**6. Finance – Utility and EMS Uncollectible Write-offs – (*Lithia Brooks*)**

Staff recommends that the Board of Commissioners consider approving the write-off of Utility and EMS uncollectible bills as presented.

There was discussion regarding collection procedures and informing citizens of these procedures. It was consensus of the Board to look at other means of collection methods and to continue to attempt collection of these uncollectible Utility and EMS bills.

Commissioner Moore moved to approve the Utility and EMS Uncollectible Write-offs. The vote of approval was 4 ayes (Moore, Sandifer, Sue and Norris) 1 nay (Rabon). (Exhibit Book 33, Attachment #14)

## **VIII. BOARD APPOINTMENTS**

**1. Marine Fisheries** (2 appointments, Districts 4 & 5)

Commissioner Rabon nominated William Hickman. Commissioner Moore moved to close the nominations. The vote of approval was unanimous. Chairman Sandifer moved to approve the appointment of William Hickman. The vote of approval was unanimous.

William Hickman was re-appointed to serve a two-year term that will expire February 1, 2005.

Commissioner Sue moved to table the District 5 appointment. The vote of approval was unanimous.

**2. Economic Development Commission** (District 2, 5 and at-large)

Chairman Sandifer nominated Jerry Jones as the District 2 appointment. Commissioner Sue nominated Bobby Brown as the District 5 appointment. Commissioner Moore nominated Mike Reaves as the at-large appointment. Vice-Chairman Norris moved to close the nominations. The vote of approval was unanimous. Commissioner Sue moved to approve the appointment of Jones, Brown and Reaves. The vote of approval was unanimous.

Jerry Jones, Bobby Brown and Mike Reaves will serve another three-year term that will expire March 1, 2006.

**3. Nursing Home Community Advisory Committee**

Chairman Sandifer nominated John Gray. Commissioner Moore moved to close the nominations. The vote of approval was unanimous. Chairman Sandifer moved to approve the appointment. The vote of approval was unanimous.

John Gray will serve a three-year term that will expire March 1, 2006.

## **IX. COUNTY ATTORNEY'S REPORT**

**1. Deed of Dedication – Oyster Harbor Subdivision**

To consider approval of water lines for Sections 1, 2, 3 and Windy Point.

Commissioner Sue moved to approve water lines for Sections 1, 2 and 3 and Windy Point in the Oyster Harbor Subdivision. The vote of approval was unanimous.

(Exhibit Book 33, Attachment #15)

## **2. Deed of Dedication – Harbor Bay Subdivision**

To consider approval of water lines for the Harbor Bay Subdivision.

Vice-Chairman Norris moved to approve water lines for the Harbor Bay Subdivision. The vote of approval was unanimous. (Exhibit Book 33, Attachment #16)

## **3. Closed Session**

**7:52 p.m.** Commissioner Moore moved to enter Closed Session pursuant to N.C.G.S. 143-318.11 (a) (1) and (a) (3). The vote of approval was unanimous.

Chairman Sandifer called a ten-minute break.

**8:49 p.m.** Chairman Sandifer called the Open Session back to order.

## **X. OTHER BUSINESS/INFORMAL DISCUSSION**

Commissioner Moore moved to direct the County Attorney to declare lot #193 of Boiling Spring Lakes as surplus property and start the offer, advertisement and upset bid process of a sale to the Brackins. The vote of approval was unanimous.

## **XI. ADJOURNMENT**

**8:50 p.m.** Commissioner Moore moved to recess the Regular Meeting until February 24, 2003 at 9:00 a.m. in the Dye Room at the Founders Club, St. James, Southport, N.C. The vote of approval was unanimous.

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David R. Sandifer, Chairman

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Deborah (Debby) Gore, Clerk to the Board